

THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

SF-BAU PLOIESTI S.R.L.

Petitioner,

vs.

RAYTHEON ENGINEERS & CONSTRUCTORS
INTERNATIONAL, INC.

Respondent.

C.A. NO. _____

04-11806 WGY

**AFFIDAVIT AND CERTIFICATION BY DR. GEORG DIWOK IN SUPPORT OF
PETITION TO CONFIRM FOREIGN ARBITRAL AWARD**

I, Dr. Georg Diwok, hereby depose and say upon oath that:

1. I am an attorney at law and senior partner in the law firm of Kerres & Diwok Rechtsanwaelte GmbH, Schuberting 2, 1010, Vienna, Austria, and a member in good standing of the Viennese Bar, duly licensed to practice law in all courts of the Republic of Austria. Our firm Kerres & Diwok Rechtsanwaelte GmbH is a member of Baker & McKenzie, a Swiss Verein.

2. I am an attorney for SF-Bau Ploiesti S.R.L. ("SF-Bau Ploiesti"). I was lead counsel and attorney of record in the arbitration between SF-Bau Ploiesti and Raytheon Engineers & Constructors International, Inc., ("RECI") concerning a dispute arising out of a Lease Guarantee dated November 6, 1998 (the "Lease Guarantee") and a Lease Agreement dated October 12, 1998 (the "Lease Agreement") entered into by SF-Bau Ploiesti and RECI for a property located in Ploiesti, Romania (the "Property"). Claims were raised under the Lease Guarantee issued by RECI concerning payment of rent, VAT interest and costs against RECI as the guarantor. SF Bau Ploiesti's claims arose due to the failure of the lessee (now named Washington Group Romania S.R.L.) to pay sums due to SF Bau Ploiesti under the Lease Agreement. I appeared at the arbitration hearing before an Arbitral Tribunal comprised of Dr.

Christian Hausmaninger, Dr. Christoph M. Pestalozzi and Dr. Chirstoph Liebscher on December 4, 2002 and from July 8-11, 2003 in Zurich, Switzerland, and in Vienna, Austria.

3. RECI also appeared at the arbitration hearing before the Arbitral Tribunal on December 4, 2002 in Zurich, Switzerland and from July 8-11, 2003, in Vienna, Austria. RECI was represented by lead counsel and attorney of record, Dr. Friedrich Jergitsch who maintains an office in Vienna, Austria.

4. RECI, by and through its attorney, Dr. Jergitsch, participated at all sessions convened by the Arbitral Tribunal, and presented both documentary and testimonial evidence and submitted legal briefs, both on jurisdiction of the Arbitral Tribunal and on the merits of the case.

5. I hereby certify that true and accurate copies of the Lease Agreement dated October 12, 1998 and Lease Guarantee dated November 6, 1998, are attached hereto as Exhibits A-B, respectively. Concerning the Lease Agreement I was only supplied with part of the text. In order to avoid triggering stamp duty in Austria no bound contract documents exist to my knowledge encompassing all attachments thereto. RECI has, however, has not contested that it entered into the Lease Agreement with SF Bau Romania through their then subsidiary Raytheon Engineers and Constructors S.R.L. (now renamed Washington Group Romania S.R.L.).

6. I hereby certify that a true and accurate copy of the Final Award Sentence issued on February 9, 2004, ICC file No 11995/DK is attached hereto as Exhibit C.

7. I hereby certify that a true and accurate copy of correspondence from the Secretariat of the Swiss Supreme Court dated March 24, 2004 and indicating that RECI did not appeal the Arbitration Award within the statutory 30 day appeal period, is attached hereto as Exhibit D.

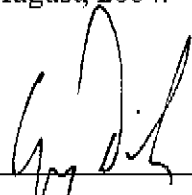
8. ICC Arbitration Award No 11995/DK was served upon RECI through its counsel, Dr. Friedrich Jergitsch. The DHL receipt shows the ICC Arbitration Award was mailed on February 13, 2004 and served on the counsel of Respondent on February 16, 2004. A copy of this DHL receipt is attached hereto as Exhibit E.

9. Subsequent to service of ICC Arbitration Award No 11995/DK, I wrote to Dr Jergitsch to confirm if payment would be made by RECI pursuant to the award. Dr Jergitsch replied by facsimile on April 5, 2004 that he had not been instructed "to issue any

communication" with respect to ICC Arbitration Award No 11995/DK. A copy of Dr Jergitsch's reply facsimile dated April 5, 2004 is attached as Exhibit F.

10. To date, no payment has been made by or on behalf of RECI to SF Bau Ploiesti to satisfy ICC Arbitration Award No 11995/DK.

Signed under the pains and penalties of perjury this 10 day of August, 2004.



Dr. Georg Diwok